HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 555(S/S)06;

Dheeraj Singh S/o late Sri Khim Singh,
Presently posted as Dresser,
"D" Class, Veterinary Hospital,
P.O. Thano, District Dehradun. ---- Petitioner.

Vs.

1. State of Uttaranchal through Secretary,
   Animal Husbandry, Uttaranchal Shasan, Dehradun,
2. Addl. Secretary Animal Husbandry,
   Uttaranchal Shasan, Dehradun,
3. Deputy Director, Animal Husbandry,
   Uttaranchal Shasan, Dehradun,
4. Deputy Director, Animal Husbandry,
   Garhwal Division, Gopeshwar, Chamoli,
5. Chief Veterinary Doctor, Dehradun,
6. Chief Veterinary Doctor, Nainital. ----Respondents.

Ms. Farida Siddiqui, learned counsel for the petitioner,
Learned Standing Counsel for the State of Uttaranchal.

Hon'ble M.M. Ghildiyal, J.

Heard Ms. Farida Siddiqui, learned counsel for the petitioner and learned Standing Counsel who has accepted notices for the respondents.

2. By means of this writ petition, the petitioner has prayed for the following releifs:-

i.) Issue a writ, order of direction in the nature of mandamus commanding the respondent to give the effect to the order dated issued on 22.06.2005 (annexure 5) by the respondent no.2,

ii.) Issue a writ, order of direction in the nature of mandamus commanding the respondent to consider

the petitioner's candidature for the said training and if the same is not possible then the candidature of the petitioner should be considered for next coming training programme,

iii.) Pass any other and further order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case,

iv.) Award the cost of the writ petition to the petitioner.

3. Submission of the learned counsel for the petitioner is that there were 100 posts for training of two years' course of Live Stock Extension Officers. The petitioner who is working with the department as Dresser was entitled to be selected for the aforesaid training in pursuance of the letter dated 22nd June 2005 issued by the Addl. Secretary, Animal Husbandry Department, Dehradun. By this letter, one Dr. B.P. Singh/ respondent no. 6-Chief Veterinary Doctor, Nainital was directed to participate in the counseling. The respondent no. 6 did not comply the order and in spite of participating in the counseling, he nominated one Doctor. With the result that the 10% seats which were reserved for the Departmental employees could not be filled up.

4. learned counsel for the petitioner has submitted that the posts are still vacant and he may be permitted to undergo training.

5. Since the counseling was held in the month of June 2005, thereafter the training has been started. Almost one year has been passed, the petitioner has approached to this Court after approximately one year. The Court is helpless to pass favourable order in these circumstances.

6. Counsel for the petitioner has further submitted that the petitioner who was qualified to be selected for the course, under

10% quota, should be given opportunity for training in the next session.

7. For the relief, which the petitioner has claimed, now can only be granted by the State Govt. as and when the selection is to be made for the aforesaid course in near future. It is expected that the respondents shall take care of petitioner's interest and shall take necessary action in this regard.

8. The petition lacks merit and liable to be dismissed.

9. The writ petition is dismissed accordingly.

(M.M. Ghildiyal, J.)

April 25,2006:
NCM: